

Practitioner's Docket No.: 782\_206

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: Tomohiko SHIBATA, Keiichiro ASAI, Yukinori  
NAKAMURA and Mitsuhiro TANAKA

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Serial No.: 10/017,325

Group Art Unit: 2811

**MAY 16 2005**

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Examiner: Junghwa M. Im

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For: SEMICONDUCTOR ELEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE  
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I hereby certify that this paper is being facsimile transmitted to (703)  
872-9306 in the Patent and Trademark Office on May 16, 2005.

*Tara L. Preston*

Tara L. Preston

**REQUEST FOR RECONSIDERATION**

Sir:

The following remarks are in response to the Office Action mailed February 16,  
2005.

Claims 1-6, 8 and 10-15 are pending herein.

1. Claims 1-6 and 10-15 were rejected under §103(a) over Kunisato in view of  
Morita. This rejection is respectfully traversed.

Claim 1 recites a semiconductor element comprising a substrate with an  
underlayer on the substrate. The underlayer comprises a first semiconductor nitride  
including a least Al, and the crystallinity of the underlayer is set to have a full width at  
half maximum X-ray rocking curve value of 90 seconds or below. A buffer layer is  
located on the underlayer and comprises a second semiconductor nitride. A

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